HON'BLE SRI JUSTICE A. GOPAL REDDY

WRIT PETITION NO. 28211 of 2006

Bathula Bhulakshmi, w/o late Ankama Raju, aged 45 years and others.

…Petitioners

AND

The Government of Andhra Pradesh, rep. , by its Secretary, Food, Agriculture and Civil Supplies Department, Secretariat, Hyderabad and others.

….Respondents

HON'BLE SRI JUSTICE A. GOPAL REDDY

WRIT PETITION NO. 28211 OF 2005

ORAL ORDER :

Questioning the impugned action of the respondents in not considering the case of the petitioners for grant of 'hawker' licences to act as a retail kerosene dealers in the place of their deceased spouse/parent on compassionate grounds on the strength of the impugned Government Memo dated 15.6.1998, the present Writ Petition is filed.

Except stating that pursuant to the directions issued by the court some of hawkers were granted licence, no other statutory right as conferred on the petitioner has been established for issuance of hawker licence on compassionate grounds. Further this court in MEHERUNNISA BEGUM VS. MANDAL REVENUE OFFICER, MACHILIPATNAM, after considering all the judgments including the two judgments of the division bench in W.A.No. 1210 of 2002 dated 31.10.2002 and in W.A.No. 1244 of 1999 dated 31.8.1999, on which the petitioner placed reliance, held that the petitioner cannot said to have enforceable right for issuance of mandamus. It is settled proposition of law that if a person receives benefits by virtue of an order passed by this court, the same will not confer any right to claim similar benefit, unless the petitioner has an enforceable right.

Hence, I see no reason to entertain the Writ Petition and accordingly the Writ Petition is dismissed. No order as to costs.

_____ A. GOPAL REDDY, J

Date: 27.3.2006

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